

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

*Ahold USA, Inc., et al. v. Actavis
Holdco U.S., Inc. et al.*

*1199SEIU Nat'l Benefit Fund, et
al. v. Actavis Holdco US, Inc.*

*Humana Inc. v. Actavis Elizabeth,
LLC et al.*

*West Val Pharm., et al. v. Actavis
Holdco U.S., Inc.*

*The Kroger Co., et al. v. Actavis
Holdco U.S., Inc.*

MDL 2724
16-md-2724

HON. CYNTHIA M. RUFE

Civil Action Nos.

18-2641
18-2401
18-3299
18-2533
18-284

[PROPOSED] ORDER

AND NOW, this ____ day of ____ 2019, upon consideration of Defendant Perrigo New York, Inc.'s ("Perrigo") Individual Motion to Dismiss Plaintiffs' Overarching Conspiracy Claims, the responses and replies thereto, and the arguments of counsel, and for the reasons set forth in the accompanying Opinion, it is hereby **ORDERED** that the Motions are disposed of as set forth herein.

1. Perrigo's Motion to Dismiss the Direct Purchaser Plaintiffs' First Amended Complaint [No. 18-2641, Dkt. 11] is **GRANTED**. The Direct Purchaser Plaintiffs' First Amended Complaint is **DISMISSED WITH PREJUDICE** against Perrigo;

2. Perrigo's Motion to Dismiss the End Payor Plaintiffs' Complaint [No. 18-2401, Dkt. 2], is **GRANTED**. Counts One through Four of the EPPs' Complaint are **DISMISSED WITH PREJUDICE** against Perrigo;
3. Perrigo's Motion to Dismiss Humana, Inc.'s Amended Complaint [No. 18-3299, Dkt. 30] is **GRANTED**. Counts CVI-CX of Humana, Inc.'s Amended Complaint are **DISMISSED WITH PREJUDICE** against Perrigo;
4. Perrigo's Motion to Dismiss the IRPs' Amended Overarching Complaint [No. 18-2533, Dkt. 4] is **GRANTED**. Counts One through Five of the Indirect Reseller Plaintiffs' Amended Overarching Complaint are **DISMISSED WITH PREJUDICE** against Perrigo;
5. Perrigo's Motion to Dismiss the Kroger Plaintiffs' Complaint [No. 18-284, Dkt. 37] is **GRANTED**. Count One of the Kroger Plaintiffs' Complaint is **DISMISSED WITH PREJUDICE** against Perrigo;

It is so **ORDERED**.

BY THE COURT:

CYNTHIA M. RUFÉ, J.